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Attorneys for Plaintiffs
SHERRILL FOSTER, HOWARD FOSTER,
SHEILA BURTON, and MINNIE BURTON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SHERRILL FOSTER, HOWARD FOSTER, SHEILA BURTON, and MINNIE BURTON,) No. C-07-5445-EMC
Plaintiffs,) ADMINISTRATIVE MOTION FOR
) CONTINUANCE OF INITIAL CASE
v.) MANAGEMENT CONFERENCE;
) DECLARATION OF COUNSEL
)
SHANNON EDMONDS, LORI TYLER,) [Jury Trial Demanded]
COUNTY OF LAKE, CITY OF CLEARLAKE,)
and DOES 1-100,) Date: January 30, 2008
) Time: 2:30 p.m.
Defendants.)
_____)

PLEASE TAKE NOTICE that Plaintiffs SHERRILL FOSTER, HOWARD FOSTER,
SHEILA BURTON, and MINNIE BURTON, by and through counsel, pursuant to Civil Local
Rules (Civil LR), Rule 3-12(b), hereby move this Court as follows:

FOR CONTINUANCE OF INITIAL CASE MANAGEMENT CONFERENCE

DISCUSSION

On about December 7, 2005, against CHRISTIAN DANTE FOSTER [the adult son of
Sherrill Foster and Howard Foster] and RASHAD LARON MORRIS WILLIAMS [the adult son
of Sheila Burton and grandson of Minnie Burton] were killed by Shannon Edmonds in the

1 County of Lake. Edmonds and his then-fiancé, Lori Tyler, were never charged with the brutal
 2 murders of Christian and Rashad. Plaintiffs are informed and believe Defendants Edmonds and
 3 Tyler were protected before December 7, 2005, and have been protected since December 7,
 4 2005, by certain members of law enforcement in Lake County and the City of Clearlake.

5 This action was filed before the statute of limitations passed on the plaintiffs' claims, and
 6 the complaint was amended on December 7, 2007, after additional information was obtained.
 7 The amended complaint is out for service. While the proofs of service have not yet been
 8 provided, e-mail confirmations from the process server were received by Plaintiff's counsel,
 9 indicating two named defendants have been served.

10 Counsel for Plaintiffs, Russell A. Robinson, needed additional time to examine records
 11 requested under both state and federal Freedom of Information Acts (FOIA) on behalf of the
 12 plaintiffs. Several requests did not result in the production of any records, and Plaintiffs later
 13 sought information from several agencies to which requests were not previously directed.

14 There are a number of issues that need to be addressed by these records. Attorney-client
 15 privilege and the doctrine of attorney work-product protect these things from disclosure.

16 Therefore, Robinson requests the initial CMC be continued to Wednesday, March 19,
 17 2008, at 2:30 p.m., or April 2, 2008, at 2:30 p.m. Counsel for Plaintiffs is not available the week
 18 of March 24, 2008. At this juncture, Plaintiffs are not requesting additional time to serve the
 19 amended complaint.

20
 21 Date: January 25, 2008

/s/Russell A. Robinson

22 By: Russell A. Robinson
 Law Office of Russell A. Robinson, APC
 23 Counsel for Plaintiffs
 SHERRILL FOSTER, HOWARD FOSTER, SHEILA
 24 BURTON, and MINNIE BURTON

DECLARATION

I, Russell A. Robinson, hereby declare as follows:

1. I am an attorney licensed to practice before all Courts in this State and admitted to practice in the Northern District of California. The below true and correct facts are based on my own personal knowledge, except facts stated as based on information and belief; as to facts so stated, I believe these to be true.

2. I am counsel of record for the plaintiffs in this case.

3. I am informed and believe that several of the named defendants have been served. While the proofs of service have not yet been provided, e-mail confirmations from the process server were received by me last week.

4. I needed additional time to examine records requested under both state and federal Freedom of Information Acts (FOIA) on behalf of the plaintiffs before this action could be served and issues joined. Many requests did not result in the production of any records, and Plaintiffs later sought information from several agencies to which requests had not previously been directed. While I filed this action in good faith, there are a number of issues that needed to be addressed by these records. The attorney-client privilege and the doctrine of attorney work-product protect these things from disclosure.

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1 5. Therefore, I request the initial CMC be continued to Wednesday, March 19, 2008,
2 at 2:30 p.m., or April 2, 2008, at 2:30 p.m. I am not available the week of March 24, 2008. At
3 this juncture, Plaintiffs are not requesting additional time to serve the amended complaint.

4 I, Russell A. Robinson, hereby declare under penalty of perjury and under the laws of the
5 State of California, that the above is true and correct.

6
7 Date: January 25, 2008

/s/Russell A. Robinson

By: Russell A. Robinson

Law Office of Russell A. Robinson, APC

Counsel for Plaintiffs

SHERRILL FOSTER, HOWARD FOSTER, SHEILA
BURTON, and MINNIE BURTON